

Senate Study Bill 1109 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED ETHICS AND
CAMPAIGN DISCLOSURE BOARD
BILL)

A BILL FOR

1 An Act relating to competitive bidding requirements applicable
2 to certain governmental officials and employees.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 68B.3, Code 2017, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3A. This section does not apply
4 to a contract for professional services that is exempt
5 from competitive bidding requirements in the Code or in
6 administrative rules adopted pursuant to the Code.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 Under current law, an official, a state employee, a member
11 of the general assembly, or a legislative employee, except as
12 part of an official state duty, shall not sell, in any one
13 occurrence, any goods or services having a value in excess of
14 \$2,000 to any state agency unless the sale is made pursuant to
15 an award or contract let after public notice and competitive
16 bidding.

17 This bill exempts these individuals from this prohibition
18 when service is a contract for professional services that is
19 exempt from competitive bidding requirements in the Code or in
20 administrative rules adopted pursuant to the Code.

21 As used in Code chapter 68B, "official" means all statewide
22 elected officials, the executive or administrative head or
23 heads of an agency of state government, the deputy executive or
24 administrative head or heads of an agency of state government,
25 members of boards or commissions as defined under Code
26 section 7E.4, and heads of the major subunits of departments
27 or independent state agencies whose positions involve a
28 substantial exercise of administrative discretion or the
29 expenditure of public funds as defined under rules of the board
30 adopted in consultation with the department or agency and
31 pursuant to Code chapter 17A.